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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,700	09/22/2000	Joachim Kim	J300U001US02	2337
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JLB CONSULTING, INC. c/o INTELLEVATE P.O. BOX 52050 MINNEAPOLIS, MN 55402			EXAMINER USTARIS, JOSEPH G	
			ART UNIT 2424	PAPER NUMBER
			MAIL DATE 02/23/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

09/668,700

Applicant(s)

KIM, JOACHIM

Examiner

JOSEPH G. USTARIS

Art Unit

2424

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 75-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 75-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/C)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 75-78 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claims 76 and 77 are objected to under 37 CFR 1.75.

Claim 76 recites the limitation "said associated media content identifier" in line 4 of claim 76. There is insufficient antecedent basis for this limitation in the claim.

Claim 77 recites the limitation "said media content identifier" in lines 1-2 of claim 77. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 75 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ottesen et al. (US005930493A) in view of Hjelsvold et al. (US006546555B1).

Regarding claim 75, Ottesen et al. (Ottesen) discloses a transformer (See Fig. 3, 30) comprising:

a converter (See Fig. 3, 33) including an input for receiving format-unspecified media content (e.g. multimedia programs; wherein the received multimedia program have no specified format, e.g. they are not digitally compressed yet) (See col. 7 lines 25-67, col. 8 lines 18-28, and col. 8 line 65 – col. 9 line 9), said converter automatically and separately providing:

at least one media block (e.g. 1 sec. video segment) comprising at least a portion of said media content (See Figs. 5 and 6; col. 9 lines 25-45), and

a description of said portion of media content (e.g. A1, A2,...,AN) wherein said description does not include a storage address for said media block (See Figs. 5 and 7; col. 9 line 60 – col. 10 line 10; e.g. A1 is a video segment address. It is used to identify the video segment within the multimedia program. It is not a physical storage address. For example, the 1 sec. video segment for A1 is stored at physical location R1,C1);

a storage managing unit (See Fig. 3, 40) coupled to said converter to receive said at least one media block and said description (See Figs. 5 and 7),

a translator (See Fig. 3, 40; wherein the unit 40 serves the function of the translator) configured to relate said stored media block to said stored description (e.g. mapping the physical storage location to the unique segment address via address table) (See Fig. 7; col. 9 line 60 – col. 10 line 10);

said transformer thereby enabling random retrieval of a plurality of stored media blocks (See Fig. 3; col. 9 line 60 – col. 10 line 10 and col. 10 lines 45-65; wherein the system can retrieve video segments as non-sequential video segments) in response to receiving a single request comprising said description from a requestor (See Fig. 21,

302; col. 9 lines 2-4; e.g. subscriber makes a request for a multimedia programming), when said request does not include a storage address for said description and does not include a storage address for retrieved ones of said plurality of stored media blocks (e.g. subscriber makes a request/selection of a multimedia program. The subscriber does not provide any physical storage addresses, they simply make a multimedia programming selection).

However, Ottesen does not explicitly disclose that the storage managing unit stores said at least one media block in a first memory and storing said description in a second memory.

Hjelsvold et al. (Hjelsvold) discloses a video archiving system. Hjelsvold discloses that a storage managing unit stores said at least one media block in a first memory (11) and storing said description in a second memory (12) (See Fig. 1; col. 4 lines 22-37). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system disclosed by Ottesen to have the storage managing unit store said at least one media block in a first memory and store said description in a second memory, as taught by Hjelsvold, in order to provide an efficient means for managing storage space of various types of content.

Regarding claim 76, said converter (See Ottesen Fig. 3, 33) input is coupled to at least one encoder (See Ottesen Fig. 3, 32) selected from the group comprising: MPEG, AVI, and DIVX said transformer enabling retrieval of media content blocks based on said associated media content identifier regardless of selected encoder (See Ottesen col. 7 lines 25-67, col. 9 lines 26-30, col. 9 line 60 – col. 10 line 10, and col. 10 lines 45-

65; the parser is generic with respect to the encoding therefore the system is able to retrieve the video based on the description regardless of the encoding used by the encoder).

5. Claims 77 and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ottesen et al. (US005930493A) in view of Hjelsvold et al. (US006546555B1) as applied to claim 75 above, and further in view of Jain et al. (US006360234B2).

Regarding claim 77, Ottesen in view of Hjelsvold does not disclose that the description comprises at least one of a program name, program start time, program end time, channel, duration, and keyword.

Jain et al. (Jain) discloses a video cataloger system that is able to store and retrieve videos. Jain discloses said description comprises at least one of a program name (See Jain col. 6 line 56; title), program start time (See col. 5 line 62), program end time, channel, duration, and keyword (See Jain Figs. 6 and 7; col. 5 line 51 – col. 7 line 18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system disclosed by Ottesen in view of Hjelsvold to have the description comprises at least one of a program name, program start time, program end time, channel, duration, and keyword, as taught by Jain, in order to provide the user the ability to find the user's desired piece of video instantly and effortlessly using descriptions (e.g. metadata) (See col. 1 lines 46-62).

Regarding claim 78, wherein at least one of said portions of media content comprises a single frame (e.g. keyframe 340, 342, 344, etc.) of said media content and

wherein said single frame is retrievable from storage based on said description (See Jain Figs. 6 and 7; abstract, col. 1 lines 46-62, col. 2 lines 8-30, and col. 5 line 51 – col. 7 line 18; the user is able to retrieve the keyframe using the digital video asset ID and metadata).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH G. USTARIS whose telephone number is

(571)272-7383. The examiner can normally be reached on M-F 7:30-5 PM; Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Joseph G Ustaris/
Primary Examiner, Art Unit 2424